

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator;)
)
Plaintiff,)
)

OCT 24 2007

PATRICIA PRESLEY, COURT CLERK
by _____
Deputy

v.)

Case No. CJ-2005-3799

Barry Pollard and Roxanne Pollard,)
)
Defendants.)
)

v.)

AXA Equitable Life Insurance Company,)
f/k/a Equitable Life Assurance Company)
of the United States)

APPLICATION FOR EXTENSION OF TIME TO RESPOND

Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, respectfully applies to the Court for an order extending the time to respond to the Motion for Summary Judgment filed by Defendants Barry and Roxanne Pollard ("Defendants Pollard Motion"). In support of this application, the Plaintiff states as follows:

1. The Defendants Pollard Motion was filed on October 11, 2007, seeking summary judgment against Plaintiff.
2. Plaintiff's response is currently due on October 26, 2007.
3. The hearing on Defendants Pollard Motion is set for November 15, 2007.
4. Additional information not yet received by Plaintiff may be relevant to Plaintiff's response and that information is expected to be obtained on October 26, 2007, at the hearing on

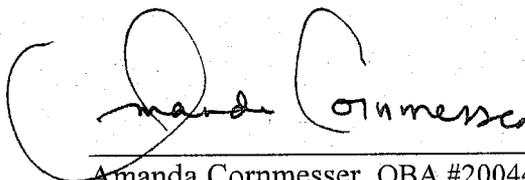
Plaintiff's motion for summary judgment in this matter. The arguments set forth in Defendants Pollard Motion are identical to those made in Defendant's sur-reply filed in connection with Plaintiff's summary judgment motion.

5. Plaintiff has not previously moved for an extension of time.

6. Counsel for Defendants Pollard have no objection to the extension of time hereby requested.

WHEREFORE, Plaintiff respectfully requests this Court enter an order extending the time for response to the Defendants Pollard Motion to 5:00 p.m. on October 31, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Amanda Cornmesser", is written over a horizontal line.

Amanda Cornmesser, OBA #20044
Gerri Stuckey, OBA #16732
Melanie Hall, OBA #1209
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73120
Attorneys for Plaintiff, Oklahoma
Department of Securities

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24 day of October, 2007, a true and correct copy of the above and foregoing was mailed by U.S. Mail, with postage prepaid thereon, addressed to:

Ronald D. Fulkerson
Shawn D. Fulkerson
Carolie E. Rozell
Fulkerson & Fulkerson, P.C.
10444 Greenbriar Place
Oklahoma City, OK 73159

Judy Hamilton Morse
Regan Strickland Beatty
Crowe and Dunlevy
20 N. Broadway, Ste. 1800
Oklahoma City, OK 73102

Brenda London

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Plaintiff,)
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Barry Pollard and Roxanne Pollard,)
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Case No. CJ-2005-3799

v.)
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AXA Equitable Life Insurance Company,)
f/k/a Equitable Life Assurance Company)
of the United States)
)
Third Party Defendants)

ORDER GRANTING EXTENSION OF TIME

On motion of the Plaintiff, Oklahoma Department of Securities, the Defendants without objection, and for good cause shown, IT IS ORDERED that the Plaintiff is granted an additional 3 business days, or until October 31, 2007, within which to serve a response to the Defendants' Motion for Summary Judgment.

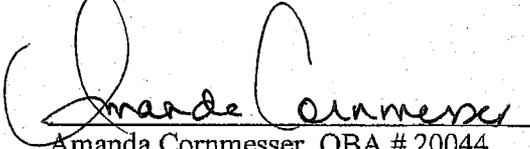
Dated this 24 day of October, 2007.

VICKI ROBERTSON

JUDGE OF THE DISTRICT COURT

VICKI ROBERTSON
DISTRICT JUDGE

APPROVED:

A handwritten signature in cursive script that reads "Amanda Cornmesser". The signature is written in black ink and is positioned above a horizontal line.

Amanda Cornmesser, OBA # 20044

Gerri Stuckey, OBA # 16732

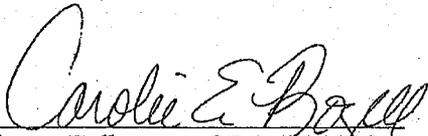
Melanie Hall, OBA # 1209

Oklahoma Department of Securities

First National Center, Suite 860

120 N. Robinson

Oklahoma City, OK 73102

A handwritten signature in cursive script that reads "Carol E. Rozell". The signature is written in black ink and is positioned above a horizontal line.

Shawn Fulkerson, OBA # 14484

Richard E. Parrish, OBA # 6915

Carolie E. Rozell, OBA # 19679

Fulkerson & Fulkerson, P.C.

10444 Greenbriar Place

Oklahoma City, OK 73159

Attorneys for Defendants

Barry Pollard and Roxanne Pollard

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